

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

P31853C1

First Named Inventor

Buckingham et al.

"EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER EL808220401US DATE OF DEPOSIT: AUGUST 24, 2001.

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to: The Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

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(TYPE OR PRINT) LONNIE MYERS

SIGNATURE

Loonie Myers

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570
☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))
(Submit an original, and a duplicate for fee processing)

2. ☒ The total fee is calculated as shown below:
 Basic Filing fee \$710.00
 Total Claims 22 - 20 = 2 x \$18 \$36.00
 Independent Claims 4 - 3 = 1 x \$80 \$80.00
☐ Multiple Dependent Claim present. \$270
TOTAL FILING FEE \$826.00

- ☐ Cancel in this application original claims to of the prior application before calculating the filing fee.

- ☒ Charge **\$826.00** to the above indicated Deposit Account.

- 3a. ☒ Specification excluding Drawings [Total Pages] 13

- 3b. ☒ Abstract on a separate sheet [Total Pages] 1

- ☐ Drawing(s) (35 USC 113) [Total Sheets]

- ☒ Declaration and Power of Attorney [Total Pages] 2
 a. ☐ Newly executed (original or copy)
 b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17a completed)
 c. ☐ Unsigned Declaration

- i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Incorporation By Reference (useable if Box 5b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☒ The Title of the Invention: TREATMENT OF DIABETES WITH THIAZOLIDINEDIONE, INSULIN SECRETAGOGUE AND DIGUANIDE

8. ☐ Nucleotide and/or Amino Acid Sequence Submission
 a. ☐ Computer Readable Copy
 b. ☐ Paper Copy (identical to computer copy)
 c. ☐ Statement verifying identity of above copies
 d. ☐ Use the identical computer-readable form filed in Application No. , filed _ as the computer-readable form for the instant application. (37 CFR 1.821(e))

ACCOMPANYING APPLICATION PARTS

9. a. ☐ Information Disclosure Statement (IDS)
 b. ☒ PTO-1449
 c. ☐ Copies of all IDS Citations

10. ☐ Assignment Papers (cover sheet & document(s))

11. ☒ Prior Application is Assigned to:
SmithKline Beecham p.l.c.
(for continuation/divisional with Box 17a completed)

12. ☒ Preliminary Amendment [Total Pages] 5

13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

15. ☒ Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. 09/446,039 filed December 15, 1999. A PTO-1449 listing the references is enclosed.

16. ☐ Other: _____

17. ☒ Priority Information, check appropriate box and supply the requisite information

- a. The accompanying application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
 of prior application No: 09/446,039 filed December 15, 1999.

- b. ☐ Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications:
 Application No. filed

- c. ☒ Please amend the specification by inserting before the first line the sentence: (37 CFR 1.78)
 This is a continuation of application Serial No. 09/446,039 filed December 15, 1999, which is a §371 National Stage entry of PCT International Application No. PCT/GB98/02110 filed January 28, 1999.

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Respectfully Submitted,

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 No.

33,797

